

REMARKS

1. Indefiniteness

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, for being indefinite because of the use of the term "type". Claim 1 is hereby amended to remove this language and recite a multi-sided bellows cover for extending between relatively movable parts of a machine to which the bellows is mounted.

Accordingly, this rejection is believed to be avoided.

2. §§ 102(b) and 103(a)

Claims 1-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tominaga (U.S. patent 4,579,045). Claim 10 was rejected under 35 U.S.C. § 103(a) for being obvious in light of Tominaga and Hennig (U.S. patent 4,745,848). In response, Applicants submit the following remarks and respectfully request reconsideration of the allowability of the claims.

Much like conventional bellows (as shown in FIGS. 1-4 of the Tominaga reference), the Tominaga reference discloses a bellows made up a single flexible cloth (3) mounted to mounting plates (2). A series of pleats is formed in the cloth by forming alternating creases. Except where there is a reinforcing plate (7), each pleat has a reinforcement wire (4) captured within the inside corners of the pleats. Tominaga's contribution to the art pertains to the use of several of the reinforcing plates spaced apart between the mounting plates. The reinforcing plates are generally rigid rectangular frames (*see* FIG. 7) that are mounted to the bellows cloth by a holding cloth (72) wound around each frame and stitched to the bellows cloth, or alternately by winding the bellows cloth itself around the frame (as shown in FIG. 6).

The Tominaga reference does not disclose a bellows with rigid wall sections spaced apart by relatively flexible web sections integrally molded with a longitudinal edge of at least one wall section as claimed in claim 1. Nor does the Tominaga reference disclose that the wall sections and integral web sections are extruded profiles (claim 2) nor that multiple walls and webs are molded edge to edge in one piece (claim 9). Tominaga also fails to disclose that a web section has a wall section along one

longitudinal edge and a bead along the opposite longitudinal edge (claim 7) so that a wall adjacent to that bead captures the bead in an open slot of said wall (claim 8) so that at least some of the web sections and adjacent wall sections are connected by a bead-in-slot connection (claim 3). It also fails to teach the corner constructions of claims 4-6.

Since the Tominaga reference teaches only a conventional cloth bellows to which several rigid frames are sewed, it fails to disclose any of the features of the present invention noted in the preceding paragraph. Initially, the reference completely lacks teaching of a molded bellows, especially one in which rigid wall sections are molded integrally with flexible web sections. It also lacks teaching such a molded bellows in which the flexible portion of one pleat is integrally molded to its associated rigid portion and connected to the rigid portion of an adjacent pleat in a bead and slot connection. It further lacks teaching a bellows having multiple pleats formed in one piece with flexible and rigid portions. Consequently, it is respectfully submitted that the Tominaga reference does not anticipate the subject matter of claims 1-9.

With regard to claim 10, the Office Action indicates that claim 10 is obvious in view of Tominaga and Hennig. The Office Action acknowledges that Tominaga lacks teaching of a strap limiting the extension of the bellows as claimed. Such a teaching is said to be found at col. 1, line 47 of the Hennig reference. However, this passage (and the rest of the patent) was reviewed and no teaching of an extension limiting strap was found. Even if such a strap is known in the art, given that claim 10 depends from claim 1, which is believed patentable as now amended and for the above-stated reasons, claim 10 is believed non-obvious and patentable for the same reasons.

3. Prior Art in Related International Application

Applicants filed an Information Disclosure Statement (mailed on May 2, 2003) after the mailing date of the above Office Action submitting copies of art cited in a related international application, including Tatay, *et al.* (U.S. patent 4,570,964), which was cited as an "x" reference and three foreign references deemed to be "y" references, namely, JP 10331791, DE 29514350 and DE 555207.

Claim 1 is hereby amended to recite that, "at least two adjacent sides of the bellows are not integrally connected". This language is being added to claim 1 (and thus all claims) to avoid the teaching of the Tatay, *et al.* reference, which discloses a bellows designed for use in an articulated bus (*see* col. 1, lines 11-12). The bellows is molded of a polyurethane foam (*see* col. 2, line 7-8) in one piece and is split or divided along one side perpendicular to the extension of the ribs, that is in the direction from the front half to the rear half of the bus (*see* col. 2, lines 29-33) so that the split ends of the bellows can be positioned as needed to remove it from the dies. The assembly shown in FIG. 5 (sheet 10, stiffening bars 11, screws 12, and clamping plate 13) is used to seal, unite and stiffen the bellows along the split (*see* col. 3, lines 1-10). Thus, the bellows is a unitary or monolithic structure with four integrally connected sides with one side split down the middle and reconnected for use. The amended claims, therefore, distinguish from the bellows disclosed in the Tatay, *et al.* reference, among other things, in that they require at least one side of the bellows to be a separate piece (or assembly) from that of an adjacent side, or in other words two adjacent sides must be non-integral. Note that new dependent claim 11 is being added to recite that a corner connects the non-integral adjacent sides and that the corner is not integral to at least one of these adjacent sides.

The amended claim set is also believed to be patentable over the "y" references and other art cited in the international application.

Accordingly, the invention includes structural differences from the cited prior art and advantages not heretofore devised that are believed sufficient to render the claims novel and non-obvious over the prior art. Applicants thus respectfully request that all of the claims be allowed and that the application be passed to issuance.

4. Fees

Please charge the \$55.00 small entity one month extension fee, as requested on the enclosed petition, to Deposit Account No. 17-0055 along with any other fees deemed necessary.

Respectfully submitted,
Steven D. Day, *et al.*

By: 

Steven J. Wietrzny
Reg. No. 44,402
Attorney for Applicant
Quarles & Brady LLP
411 East Wisconsin Avenue
Milwaukee, WI 53202
(414) 277-5415

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